

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/579,074
				§371(c) Date	May 21, 2007
				First Named Inventor	Christian Funke
				Art Unit	1627
				Examiner Name	PIHONAK, Sarah Maureen
Sheet	1	of	1	Attorney Docket Number	2400.0380000/RWE/PDL

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US17	4,590,272	05-20-1986	Shiokawa <i>et al.</i>	
	US18	4,647,570	03-03-1987	Shiokawa <i>et al.</i>	
	US19	4,678,795	07-07-1987	Shiokawa <i>et al.</i>	
	US20	4,772,620	09-20-1988	Shiokawa <i>et al.</i>	
	US21	4,803,277	02-07-1989	Shiokawa <i>et al.</i>	
	US22	4,806,553	02-21-1989	Shiokawa <i>et al.</i>	
	US23	4,849,432	07-18-1989	Shiokawa <i>et al.</i>	
	US24	4,914,113	04-03-1990	Shiokawa <i>et al.</i>	
	US25	4,918,086	04-17-1990	Gsell	
	US26	4,918,088	04-17-1990	Gsell	
	US27	4,948,798	08-14-1990	Gsell	
	US28	4,963,572	10-16-1990	Gsell	
	US29	4,963,574	10-16-1990	Bachmann <i>et al.</i>	
	US30	5,852,012	12-22-1998	Maienfisch <i>et al.</i>	
	US31	7,884,049 B2	02-08-2011	Dutzmann <i>et al.</i>	
	US32	2010/0168042 A1	07-01-2010	Funke <i>et al.</i>	
	US33	2010/0249070 A1	09-30-2010	Funke <i>et al.</i>	
	US34	2010/0292226 A1	11-18-2010	Funke <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	FP55	CA 2,052,731 A1	04-06-1992	Ciba-Geigy AG		

1304388_1.DOC

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/579,074	
			§371(c) Date	May 21, 2007	
			First Named Inventor	Christian FUNKE	
			Art Unit	1627	
			Examiner Name	PIHONAK, Sarah Maureen	
Sheet	1	of	3	Attorney Docket Number	2400.0380000/RWE/PDL

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL34	BAUER, T.A., <i>et al.</i> , "Response of Selected Weed Species to Postemergence Imazethapyr and Bentazon," <i>Weed Tech.</i> 9:236-242, The Weed Science Society of America, United States (1995)	
	NPL35	BLACKSHAW, R.E., "HOE-39866 Use in Chemical Fallow Systems," <i>Weed Tech.</i> 3:420-428, The Weed Science Society of America, United States (1989)	
	NPL36	BLACKSHAW, R.E., "Synergistic Mixes of DPX-A7881 and Clopyralid in Canola (<i>Brassica napus</i>)," <i>Weed Tech.</i> 3:690-695, The Weed Science Society of America, United States (1989)	
	NPL37	BLACKSHAW, R.E., <i>et al.</i> , "Herbicide Combinations for Postemergent Weed Control in Safflower (<i>Carthamus tinctorius</i>)," <i>Weed Tech.</i> 4:97-104, The Weed Science Society of America, United States (1990)	
	NPL38	BLOUIN, D.C., <i>et al.</i> , "Analysis of Synergistic and Antagonistic Effects of Herbicides Using Nonlinear Mixed-Model Methodology," <i>Weed Tech.</i> 18:464-472, The Weed Science Society of America, United States (2004)	
	NPL39	BRADLEY, P.R., <i>et al.</i> , "Response of Sorghum (<i>Sorghum bicolor</i>) to Atrazine, Ammonium Sulfate, and Glyphosate," <i>Weed Tech.</i> 14:15-18, The Weed Science Society of America, United States (2000)	
	NPL40	BUKER, III, R.S., <i>et al.</i> , "Confirmation and Control of a Paraquat-Tolerant Goosegrass (<i>Eleusine indica</i>) Biotype," <i>Weed Tech.</i> 16:309-313, The Weed Science Society of America, United States (2002)	
	NPL41	BURKE, I.C., <i>et al.</i> , "CGA-362622 Antagonizes Annual Grass Control with Clethodim," <i>Weed Tech.</i> 16:749-754, The Weed Science Society of America, United States (2002)	
	NPL42	COLBY, S.R., "Calculating synergistic and antagonistic responses of herbicide combinations," <i>Weeds</i> 15:20-22, Weed Science Society of America, United States (1967)	
	NPL43	FLINT, J.L., <i>et al.</i> , "Analyzing Herbicide Interactions, A Statistical Treatment of Colby's Method," <i>Weed Tech.</i> 2:304-309, The Weed Science Society of America, United States (1988)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/579,074	
			§371(c) Date	May 21, 2007	
			First Named Inventor	Christian FUNKE	
			Art Unit	1627	
			Examiner Name	PIHONAK, Sarah Maureen	
Sheet	2	of	3	Attorney Docket Number	2400.0380000/RWE/PDL

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL44	GILLESPIE, G.R., and Nalewaja, J.D., "Wheat (<i>Triticum aestivum</i>) Response to Triallate Plus Chlorsulfuron," <i>Weed Tech.</i> 3:20-23, The Weed Science Society of America, United States (1989)	
	NPL45	GREEN, J.M., <i>et al.</i> , "Metribuzin and Chlorimuron Mixtures for Preemergence Broadleaf Weed Control in Soybeans, <i>Glycine max</i> ," <i>Weed Tech.</i> 2:355-363, The Weed Science Society of America, United States (1988)	
	NPL46	HARKER, N.K., and O'Sullivan, P.A., "Synergistic Mixtures of Sethoxydim and Fluazifop on Annual Grass Weeds," <i>Weed Tech.</i> 5:310-316, The Weed Science Society of America, United States (1991)	
	NPL47	KENT, L.M., <i>et al.</i> , "Effect of Ammonium Sulfate, Imazapyr, and Environment on the Phytotoxicity of Imazethapyr," <i>Weed Tech.</i> 5:202-205, The Weed Science Society of America, United States (1991)	
	NPL48	KOTOULA-SYKA, E., <i>et al.</i> , "Interactions between SAN 582H and Selected Safeners on Grain Sorghum (<i>Sorghum bicolor</i>) and Corn (<i>Zea mays</i>)," <i>Weed Tech.</i> 10:299-304, The Weed Science Society of America, United States (1996)	
	NPL49	LANCLOS, D.Y., <i>et al.</i> , "Glufosinate Tank-Mix Combinations in Glufosinate-Resistant Rice (<i>Oryza sativa</i>)," <i>Weed Tech.</i> 16:659-663, The Weed Science Society of America, United States (2002)	
	NPL50	NORRIS, J.L., <i>et al.</i> , "Weed Control from Herbicide Combinations with Three Formulations of Glyphosate," <i>Weed Tech.</i> 15:552-558, The Weed Science Society of America, United States (2001)	
	NPL51	NOVOSEL, K.M., <i>et al.</i> , "Metolachlor Efficacy as Influenced by Three Acetolactate Synthase-Inhibiting Herbicides," <i>Weed Tech.</i> 12:248-253, The Weed Science Society of America, United States (1998)	
	NPL52	PALMER, E.W., <i>et al.</i> , "Broadleaf Weed Control in Soybean (<i>Glycine max</i>) with CGA-277476 and Four Postemergence Herbicides," <i>Weed Tech.</i> 14:617-623, The Weed Science Society of America, United States (2000)	
	NPL53	RUMMENS, F.H.A., "An Improved Definition of Synergistic and Antagonistic Effects," <i>Weed Science</i> 23(1):4-6, The Weed Science Society of America, United States (1975)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/579,074	
			§371(c) Date	May 21, 2007	
			First Named Inventor	Christian FUNKE	
			Art Unit	1627	
			Examiner Name	PIHONAK, Sarah Maureen	
Sheet	3	of	3	Attorney Docket Number	2400.0380000/RWE/PDL

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL54	SALZMAN, F.P., and Renner, K.A., "Response of Soybean to Combinations of Clomazone, Metribuzin, Linuron, Alachlor, and Atrazine," <i>Weed Tech.</i> 6:922-929, The Weed Science Society of America, United States (1992)	
	NPL55	SCOTT, R.C., <i>et al.</i> , "Spray Adjuvant, Formulation, and Environmental Effects on Synergism from Post-Applied Tank Mixtures of SAN 582H with Fluazifop-P, Imazethapyr, and Sethoxydim," <i>Weed Tech.</i> 12:463-469, The Weed Science Society of America, United States (1998)	
	NPL56	SHAW, D.R. and Arnold, J.C., "Weed Control from Herbicide Combinations with Glyphosate," <i>Weed Tech.</i> 16:1-6, The Weed Science Society of America, United States (2002)	
	NPL57	SNIPES, C.E., and Allen, R.L., "Interaction of Graminicides Applied in Combination with Pyriithobac," <i>Weed Tech.</i> 10:889-892, The Weed Science Society of America, United States (1996)	
	NPL58	SUN, Y.-P. & Johnson, E.R., "Analysis of Joint Action of Insecticides against House Flies", <i>J. Econ. Entomol.</i> , 53:887-892, Journal of Economic Entomology, United States (1960)	
	NPL59	WEHTJE, G. and Walker, R.H., "Interaction of Glyphosate and 2,4-DB for the Control of Selected Morningglory (<i>Ipomoea</i> spp.) Species," <i>Weed Tech.</i> 11:152-156, The Weed Science Society of America, United States (1997)	
	NPL60	ZHANG, W., <i>et al.</i> , "Fenoxaprop Interactions for Barnyardgrass (<i>Echinochloa crus-galli</i>) Control in Rice," <i>Weed Tech.</i> 19:293-297, The Weed Science Society of America, United States (2005)	
	NPL61	Patentee's Response to Opposition filed in European Patent Application No. 04 791 081.5, dated May 19, 2010	
	NPL62	English Translation of Patentee's Response to Opposition filed in European Patent Application No. 04 791 081.5, dated May 19, 2010	

1304471_1.DOC

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.